

## ORDINANCE 221

Councilperson \_\_\_\_\_, introduced the following Amended Ordinance and moved its adoption, which motion was seconded by Councilperson \_\_\_\_\_, the Amended Ordinance being in the following words:

**“AN ORDINANCE TO AMEND ARTICLE V SECTION 35 OF THE ZONING ORDINANCE AND SUBDIVISION REGULATIONS FOR THE CITY OF LEWISBURG, TO PROVIDE FOR THE REGULATION OF LOCATING, DRILLING, EQUIPPING, OPERATING OR PRODUCING OF ANY OIL AND GAS.”**

**NOW, THEREFORE, BE IT ENACTED AND ORDAINED**, by the Council of the City of Lewisburg, West Virginia, that Article V (Permissible Uses And Specific Exceptions), Subsection(b), be amended and reenacted to read as follows:

### **Section 35: Permissible Uses and Specific Exceptions**

(b) Without limiting the generality of the foregoing provisions, the following uses are specifically prohibited in all districts. In addition, prohibited uses shall be defined to include activities which have a similar impact as uses prohibited by this section.

1. Any use that involves the manufacture, handling, sale, distribution or storage of any highly combustionable, explosive or hazardous material in violation of City or State safety or fire prevention codes.
2. Stockyards, slaughterhouses and rendering plants.
3. Junk yards, automobile wrecking yards, scrap metal yards, scrap paper and rag storage yards.
4. Chemical plants, paper mills and tanneries.
5. Stone crushing, concrete mixing and asphalt plants.
6. Coal storage or distribution yards.
7. Use of a travel trailer, motor home or motor vehicle as a temporary or permanent residence.
8. Use of a motor vehicle parked on a lot as a structure in which, out of which, or from which any goods are sold or stored, services are performed or other business is conducted.

9. Power or electric generating plants, except when used for emergency and temporary back-up purposes.

10. Hazardous materials and toxic waste dumps.

11. Mining and quarrying.

12. Any activity that creates or produces noxious emissions of noise, polluting substances, heat, electrical disturbances, light or vibration.

13. Burial, entombment or interment of any person or animal except in an authorized cemetery, except ashes from a crematory.

14. Locating, drilling, equipping, or producing of any oil and gas.

This Ordinance shall be enforced from and after its final passage.

Date of First Reading: February 15, 2011

John Manchester  
Mayor

Shannon Ninnemann, CMC  
Recorder

Date of Second Reading: March 15, 2011

Passed X Failed \_\_\_\_\_ Vote \_\_\_\_\_

John Manchester  
Mayor

Shannon Ninnemann, CMC  
Recorder